GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines & Minerals - Regulation of Sand Mining in the State – Amendment to Andhra Pradesh Minor Mineral Concession Rules, 1966 - Orders – Issued

==========

INDUSTRIES, INFRASTRUCTURE, INVESTMENT & COMMERCE (MINES-II) DEPARTMENT

G.O.MS.No. 71 Dated: 04-09-2019.

Read the following:

1. G.O.Ms.No.1172, Ind. & Com. Dept, dt:04-09-1967.
2. Govt. Memo.No.3066/M.II(1)/2016-3, Dt:04.03.2016.
3. Govt. Memo.No.3066/M.II(1)/2016-4, Dt:10.03.2016.
4. Govt. Memo.No.3066/M.II(1)/2016-7, Dt:22.03.2016.
5. G.O.Ms.No.42, Ind. & Com. (M.II) Dept., Dt:29.03.2016.
6. G.O.Ms.No.43, Ind. & Com. (M.II) Dept., Dt:06.04.2016.
7. G.O.Ms.No.104, Ind. & Com. (M.II) Dept., Dt:26.07.2017.
8. Government Memo No.6950/M.II(1)/2017-4, Dt. 07-06-2018
9. G.O.Ms.No.76, Ind. & Com. (M.II) Dept., Dt:25.06.2018
10. Govt. Memo.No. 3066/M-II(1)/2016-12 dt. 11.06.2019
11. Govt. Memo.No. 3066/M-II(1)/2016-14 dt. 12.06.2019
12. G.O.Ms.No.38, Ind. & Com. (M.II) Dept., Dt:17.03.2016
13. G.O.Ms.No.70, Ind. & Com. (M.II) Dept., Dt:04.09.2019
14. From the DMG, A.P., e-file No.INC01/MG0-POLI/18/2019–M.II (Computer No.910066)

*****

O R D E R:-

In the G.O. 13th read above, Government have introduced a New Sand Policy 2019, and decided to issue amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966.

2. Accordingly, the following notification shall be published in the Extra-Ordinary issue of the Andhra Pradesh Gazette dt.04.09.2019.

NOTIFICATION

In supersession of the orders issued in the references 2nd to 10th read above and other relevant notification / orders issued if any on the subject and in exercise of the powers conferred under sections 15 (1), (1A), 21 (2),22, 23 and 23(c) of MMDR Act, 1957, the Government hereby makes the following amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966 issued in G.O.Ms.No.1172, Industries (B-1), 4th September, 1967 as subsequently amended.

AMENDMENT

In the said rules, for the rule 9-B and the paras appended therein, the following shall be substituted namely,-

(1) Sand sourced from Rivers & Streams

(a) Sand extraction in I, II and III order streams:

(i) Sand extraction shall not be permitted in notified over-exploited areas except for local use in villages or towns bordering the Streams for bonafide purposes

(ii) The Sand extraction shall be as per Rule 23-(1) (a) of Water Land and Tree Rules, 2004 or any subsequent rules/amendments to be issued by Government from time to time.

(iii) Transportation of sand shall be by means of bullock carts/Tractors to the nearest specified stockyard only within the jurisdiction of the concerned Districts.

(iv) The sand shall be supplied for local use within the District from the Specified stockyards as follows:

(a) Sand may be sourced from streams of I, II and III order for local needs by bullock carts. In such cases, the Tahsildar of Mandal concerned shall issue a permit on payment of sale price per ton, as fixed by the Government.

(b) Sand should be made available for Government sponsored weaker section housing schemes free of cost duly paying applicable charges on a certificate issued by the District Collector or any officer authorized by the District Collector;

(c) Sand is supplied for local use of sand in Government works on payment of Sale price and other applicable taxes & charges.

(d) M/s APMDC Ltd shall dispose the Sand as per the procedure laid down in the sub-rule 1(d) of Rule 9-Bbelow.

(v) The District Collector shall put in place proper administrative mechanism for enforcement of WALTA regulations in extraction and transportation of sand in I, II and III order Streams comprising of:

(a) Tahsildar concerned

(b) Representative of Deputy Director, Ground water Department.

(c) Assistant Engineer / Deputy Executive Engineer (concerned), RWS/Irrigation Department

(d) Station House Officer (concerned), Police Department

(e) Assistant Motor Vehicle Inspector / Motor Vehicle Inspector (concerned) from Transport Department

(b) Identification of Sand reaches in IV, V and Higher order streams

(i) Constitution of District Level Sand Committee (DLSC):

The identification of feasible sand bearing areas in IV, V and above

order streams/rivers for extraction shall be done by the District Level Sand Committee. The members of the committee are as follows:

(a) District Collector : Chairman
(b) Joint Collector : Vice-Chairman
(c) *Project Officer, ITDA concerned. : Member
(d) Superintendent of Police: Member
(e) District Panchayat Officer : Member
(f) Regional Transport Officer: Member
(g) Dy. Director, Ground Water Dept. : Member
(h) Executive Engineer, Irrigation/River Conservator. : Member
(i) Executive Engineer, Rural Water Supply : Member
(j) Environmental Engineer, Andhra Pradesh State Pollution Control Board. Member
(k) Assistant Director of Mines & Geology concerned: Member
(l) Deputy Director of Mines & Geology concerned. : Member-Convener
(m) Representative from M/s Andhra Pradesh Mineral Development Corporation Limited : Member
(n) Any other invitees as suggested by the Chairman

*In case of sand reaches falling partly or fully in Scheduled Areas.

(ii) The Member-Convener shall convene the District Level Sand Committee (DLSC) meetings frequently to ensure sand availability in the District.
(iii) The Deputy Director of Mines & Geology concerned shall identify the potential sand bearing areas on regular basis and place proposals for extraction before District Level Sand Committee.
(iv) The Chairman, District Level Sand Committee shall order for joint inspection of identified sand bearing areas and obtain reports from the following:

(a) The Revenue Department shall demarcate the specified sand bearing area, where Sand is feasible for extraction, as per the geo-coordinates recorded along with two permanent references points and furnish the sketch.

(b) The Ground Water Dept. shall issue the feasibility report under Water, Land and Tree Rules, 2004 or any subsequent rules/ amendments to be issued by the Govt. from time to time, record the geo-coordinates of the specified sand bearing area as marked on ground by the Revenue Dept., with two permanent reference points along with specific recommendations on the thickness and mode of sand extraction.
(c) The Executive Engineer/River Conservator shall issue clearance for the specified sand bearing areas with Geo-coordinates along with details of the ramps.
(d) The Assistant Director of Mines & Geology concerned shall arrive at the quantity of sand feasible to be extracted basing on the Ground Water Department's feasibility report.

(e) Representative from M/s Andhra Pradesh Mineral Development Corporation Limited shall accompany the team during the joint inspection to plan the subsequent operations.

(v) The Collector & Chairman, District Level Sand Committee shall finalize the specified sand bearing areas based on Joint Inspection report and order the Deputy Director of Mines & Geology to obtain Approved Mining Plan, Environmental Clearance, Consent for Establishment and Consent for Operation from the competent authorities in the name of District Collector.

(vi) After obtaining Statutory Clearances, District Collector shall entrust the work to M/s APMDC Ltd. and M/s APMDC Ltd.shall start extraction from the specified sand bearing area.

(c) Extraction of sand from specified sand bearing areas:

M/s.Andhra Pradesh Mineral Development Corporation Ltd. shall:

(i) Extract sand by engaging a raising contractor from the specified sand bearing area to an approved stock yard. The raising contractor will be selected through a competitive reverse bidding process.

(ii) Ensure the extraction of sand shall be as per the approved mining plan, Environment Clearance & CFE/CFO.

(iii) Ensure that the extracted sand shall be moved to specified stock yards along with the Trip sheet in Form-S1.

(iv) Establish CCTV cameras for monitoring of sand operations and vehicular movement.

(d) Disposal of sand from specified Stockyards:

M/s. Andhra Pradesh Mineral Development Corporation Ltd. shall:

(i) Collect sale price and other applicable taxes and charges from the purchaser of Sand and credit the same to the Government Treasury account through the online system and issue Sand Sale Booking order in Form– S2 to the customer.

(ii) Load the sand as per the approved capacity of the vehicle through weighment. In case of exigency, volume based loading is permitted for only a limited period.

(iii) Issue Sand Waybill in Form –S3to the vehicle driver prior to dispatch of sand from the stockyard

(iv) Maintain daily production and dispatch register and statutory returns/clearances prescribed under various statutes

(v) Furnish a sand reach area-wise monthly and yearly returns statement in Form –S4and Form –S5on the quantity of sand excavated and transported to specified stockyard(s) as well as sand dispatched from the specified stockyard to the end customers.

(vi) Establish weighbridges and CCTV cameras to monitor sand operations and vehicular movement

(vii) Put in place a system for real time tracking of sand carrying vehicles with GPS devices till the sand is delivered to the end consumer.

(e) Regulation of sand transportation in IV, V and above order streams/ Rivers:

(i) The sand extracted from IV, V and above order Streams/Rivers shall be utilized anywhere within the State.
(ii) The District Collector shall put in place a proper administrative mechanism for enforcement of extraction and transportation of sand by constituting Mandal level teams
(iii) Sand used in the weaker section housing programme shall be exempted from any fee on a certificate issued by the District Collector or any officer authorized by District Collector.
(iv) The period of extraction shall be One (1) year from the date of Consent for Operation (CFO) or exhaustion of permitted quantity whichever is earlier.
(v) The DLSC shall review the status of Sand quarry at least thirty (30) days before the date of expiry of CFO or exhaustion of permitted quantity and order for joint inspection to explore continuation of extraction.
(a) If the specified sand bearing area is feasible for sand extraction, the Chairman-DLSC shall call for Approved Mining Plan, EC, CFE &CFO and approve for continuation of extraction upon receipt of statutory clearances.
(b) If the specified sand bearing area is not feasible for sand extraction, the Chairman-DLSC shall order for stoppage of sand extraction for a specified period

(f) Constitution of State Level Committee (SLC):

(i) The State Level Committee shall consists of the following Officers:

State Level Committee	
Chief Secretary	Chairman
Director General of Police	Member
Secretary, Mines, III & Com. Dept	Member
Secretary, Revenue Dept.	Member
Secretary, PR & RD Dept..	Member
Secretary, Water Resource Dept.	Member
VC&MD, M/s APMDC Ltd	Member
Commissioner, Rural Development	Member
Commissioner, Transport Dept.	Member
Member-Secretary, APPCB	Member
Director, Ground Water Dept.	Member

Engineer-in-Chief, Irrigation Dept.	Member
Director of Mines & Geology	Member – Secretary
And any invitees as suggested by the Chairman	

(ii) The State Level Committee shall meet periodically to take up review of the performance of Sand extraction in the state, examine the matters referred by District Level Sand Committee for review of any statutory provisions and issue necessary guidelines for proper implementation of the Rules.

(g) Complaint Redressal Mechanism:

A complaint Redressal mechanism is established to redress the grievances/complaints made by any citizen/NGOs in an effective and time bound manner:

(i) Complaint Redressal Committee comprises of the following:

(a) Collector and District Magistrate concerned –Chairman.
(b) Superintendent of Police of concerned District –Member.
(c) Deputy Director of Mines and Geology concerned–Member – Convener.

(ii) Enquiry Team comprises of:

(a) Revenue Divisional Officer concerned.
(b) Deputy Superintendent of Police concerned.
(c) Assistant Director of Mines and Geology concerned.

(iii) The procedure of the Complaint Redressal Committee (CRC) is as follows:

(a) Any person/Non-Governmental Organization/party may file a complaint regarding illegal sand mining, illegal transportation and illegal stocking to the Collector and District Magistrate with material evidence either through online or otherwise. Each such complaint will be uniquely numbered.

(b) On receipt of such complaint, the Collector and District Magistrate, shall forward the complaint to the enquiry team to conduct enquiry by duly causing inspection by calling the complainant and the other party if any, and submit enquiry report within thirty (30) days from the date of receipt of complaint.

(c) On receipt of enquiry report, the Complaint Redressal Committee shall take the decision on the report of the Enquiry team and pass speaking orders within fifteen (15) days.

(d) If aggrieved by the orders passed by the complaint redressal committee, the complainant may prefer an appeal before the State Level Redressal Committee comprising of :

(i) Prl. Secretary/Secretary Mines, Industries & Commerce Department - Chairman
(ii) Additional Director General (Law and order) of Police - Member
(iii) Director of Mines & Geology – Member - Convener

The State Level Redressal Committee after due consideration shall dispose the appeal and pass speaking orders within thirty (30) days from the date of filing of appeal.

(2) De-Siltation of Dams/Reservoirs/Barrages/Large Tanks:

The Irrigation Department shall take-up de-siltation of Dams, Reservoirs, Barrages and large tanks directly or by allotting the work to M/s APMDC Ltd.

(a) De-siltation of sand by Irrigation Department

(i) The Executive Engineer, Irrigation Department shall define and demarcate the area to be de-silted with Geo-coordinates for the purpose.

(ii) There shall be joint inspection of the demarcated area by the Assistant Director of Mines & Geology concerned, Executive Engineer, Irrigation Department and nominee of M/s. Andhra Pradesh Mineral Development Corporation Ltd. to ensure that the demarcated area to be de-silted by Irrigation Department shall not overlap with any of the area(s) already under de-siltation or likely to be de-silted by M/s. Andhra Pradesh Mineral Development Corporation Limited.

(iii) The Executive Engineer, Irrigation Department shall quantify the sand likely to be sourced by de-silting process.

(iv) The Irrigation Department shall put in place a suitable administrative mechanism, as per the rules, at the field level to efficiently supervise the de-siltation process, for monitoring of dispatched sand and also to prevent any misuse of sand sourced from de-siltation.

(v) The sand available after desilting should be handed over to M/s APMDC Ltd. for transporting to stockyards in Form S1 for supply to Government works and public use as per the procedures laid down by M/s APMDC Ltd.

(b) De-siltation of Sand in Irrigation Projects by M/s APMDC Ltd.

In case of handing over the areas to M/s APMDC Ltd., M/s APMDC Ltd. shall undertake the de-siltation work by following the norms.

(c) Disposal of sand sourced from Irrigation Projects from Stockyards

M/s APMDC Ltd shall dispose the sand from the specified stockyards as per the procedure laid down in the sub-rule 1(d) of Rule 9-B.

(3) De-casting sand from Patta lands:

(a) De-casting in patta lands falling within River bed:

(i) The pattadar shall apply to the District Collector along with copy of pattadar pass book and Title deed book and location of the land on village map.

(ii) District Collector shall forward the application to the Asst. Director of Mines & Geology(ADMG) concerned and the ADMG shall take up joint inspection of the patta land with the following:

(a) Tahsildar shall identify the patta land, possessor/ occupier and furnish attested sketch demarcating the area. The boundaries will then be fixed on ground.

(b) The project officer/nominee of M/s APMDC Ltd. shall also be part of joint inspection team for the patta land where the pattadar is giving willingness/consent for de-casting sand to M/s APMDCLtd.

(c) Mandal Agriculture Officer shall assess the thickness of the sand to be removed to make the land fit for agriculture.

(d) The Ground Water Dept. shall record the geo coordinates of the pattaland as per boundaries fixed by the Tahsildar and give feasibility report.

(e) Executive Engineer, Irrigation Dept., concerned shall issue clearance for de-casting of patta lands and the location of patta land with reference to river course/bed along with the ramp points.

(f) Assistant Director of Mines & Geology shall stipulate the period of de-casting and assess the feasible quantity of sand to be de-casted.

(iii) After receipt of joint inspection report, the Deputy Director of Mines & Geology concerned shall place the proposals for de-casting sand before the District Level Sand Committee.

(iv) The District Level Sand Committee (DLSC) shall examine the proposals on de-casting sand from patta lands and accord its approval duly imposing the conditions as deemed fit.

(v) After receipt of orders from the District Level Sand Committee (DLSC), District Collector shall issue necessary permission to the Deputy Director of Mines & Geology to obtain necessary statutory clearances from the competent authorities in the name of District Collector.

(vi) Upon receipt of the statutory clearances, the District Collector shall entrust the work to M/s APMDC Ltd. for de-casting.

(vii) M/s. Andhra Pradesh Mineral Development Corporation Limited shall enter into an agreement with the pattadar as per mutually agreed terms and conditions to undertake de-casting of sand from patta lands and for payment of beneficiary amount to the pattadars.

(viii) The Pattadar will be paid a beneficiary amount as fixed by the Government.

(ix) M/s APMDC Ltd. shall appoint a raising contractor under competitive reverse bidding process.

(x) The sand so de-casted shall be moved to stockyards managed by M/s. APMDC Ltd. for subsequent disposal to end consumers as per the procedure laid down in sub-rule 1(d) of Rule 9-B above.

(b) De-casting in patta lands falling outside River bed and sand casted due to Marine sea transgression & regression

(i) The pattadar shall apply to the District Collector along with copy of pattadar pass book and Title deed book and location of the land on village map.

(ii) District Collector shall forward the application to the Asst. Director of Mines & Geology(ADMG) concerned

(iii) The ADMG along with the concerned officials, as per the procedure laid down in sub-rule 3 (a)(ii) of Rule 9-B, shall take up joint inspection of the patta lands and submit the joint inspection report to DLSC.

(iv) After receipt of joint inspection report, the Deputy Director of Mines & Geology concerned shall place the proposals for de-casting sand before the District Level Sand Committee.

(v) The District Level Sand Committee (DLSC) shall examine the proposals on de-casting sand from patta lands and accord its approval duly imposing the conditions as deemed fit.

(vi) The District Collector shall entrust the work to M/s APMDC Ltd. for de-casting and disposal of the sand.

(vii) M/s. Andhra Pradesh Mineral Development Corporation Limited shall enter into an agreement with the pattadar as per mutually agreed terms and conditions to undertake de-casting of sand from patta lands and for payment of beneficiary amount to the pattadars.

(viii) The pattadar will be paid a beneficiary amount as fixed by the Government.

(ix) Depending upon the extent of patta land or quantity of sand to be de-casted, the Andhra Pradesh Mineral Development Corporation shall appoint a raising contractor under competitive bidding process.

(x) The sand so de-casted shall be moved to stockyards managed by the Andhra Pradesh Mineral Development Corporation for subsequent disposal to end consumers as per the procedure laid down in sub-rule 1(d) of Rule 9-B above.

(xi) Any contravention of conditions for de-casting by the pattadar, the Chairman, DLSC may order for collection of:

(a) Rs.1,00,000/- or Rs.500/- per TON whichever is higher as penalty on de-casting sand beyond the specified extent or in excess of permitted depth.

(b) Repeated violations will result in cancellation of permission

(xii) To prevent indiscriminate removal of sand from patta lands abutting the Riverbed, more rigorous vigilance and inspections shall be taken up.

(4) <u>Fixation/Revision of Sale price of Sand:</u>

(a) The sand shall be disposed to the end consumer from the specified

stockyards at a sale price as fixed by the Government plus transportation charges and other applicable taxes and charges.

(b) Sale price of sand per ton shall be reviewed and revised by the State Government as and when necessary.

(5) Incidental charges:

M/s APMDC Ltd. may, with the prior approval of the Government, collect incidental charges additionally towards maintenance of village link roads and service charges for stockyard maintenance.

(6) Apportionment of Seigniorage Fee to Zilla Parishad General Funds:

100% Seigniorage Fee shall be remitted to the General Funds under the Head of Account of Zilla Parishad concerned. The same shall be apportioned in the ratio of 25:50:25 among Zilla Parishad, Mandal Parishad and Gram Panchayat respectively.

(7) Contribution to DMF:

The Director of Mines & Geology shall issue apportionment orders to the districts.

(8) Contribution to MERIT:

The Director of Mines & Geology shall issue apportionment orders to the MERIT.

(9) Remittance of sale proceeds of the Sand:

The sale proceeds of the sand shall be remitted to the Government as per the procedure laid down by the Finance Department.

(10) Release of operating expenditure to M/s APMDC Ltd.:

The operating costs, administrative charges and Service charges incurred by M/s APMDC Ltd, shall be reimbursed by the Government and will be released by Director of Mines &Geology, Ibrahimpatnam periodically to M/s APMDC Ltd.

(11) Sand extraction in Scheduled areas:

(a) Excavation and transportation of Sand to the designated stockyards from Sand bearing areas located partially/fully in Scheduled Areas shall be done by forming Tribal Societies as per the Panchayats Extension to Scheduled Areas (PESA) Rules, 2011 or any rules/amendments made there under with Technical and Administrative support from M/s APMDC Ltd. under the direct supervision and control of the Agency Magistrate/District Collector concerned. M/s APMDC Ltd. shall dispose the sand from the stockyards by following the norms as per sub-rule 1 (d) of Rule 9-B.

(b) Operational guidelines shall be issued by the District Collector from time to time.

(12) Registration of Vehicles/carriers/lorries for Sand Transportation:

All the vehicles/carriers/lorries involved in sand transportation shall be registered online with M/s. APMDC Ltd. / Director of Mines & Geology for detection from other vehicles transporting sand through un-authorized sources. All Sand carrying vehicles shall have to be equipped with AIS 140 GPS devices.

(13) Prohibition of sand quarrying within Safety zones

Excavation and transportation of sand is prohibited within the safety zones of 500 meters, or as prescribed by the concerned Departments, from the Groundwater structures, road & railway bridges, railway lines and cross drainage structures, National and state highways etc. The concerned Departments shall protect the structures by displaying Boards near the prohibited structures. The officers shall be nominated by the concerned Heads of the Departments to exercise the powers mentioned in the sub-rule 16 of Rule 9-B to prevent unauthorized sand quarrying in prohibited areas.

(14) Prohibition of stocking of sand

No person, unless permitted by the Government, is allowed to stock the sand beyond the stated requirement in its application made online and shall not sell nor involve in any re-sale of sand. The applicant at all times would be obliged to utilize the sand only for the purpose stated in the application.

(15) Ban on sand transportation across the border:

Transportation of sand beyond the borders of the state is prohibited.

(16) Offences and Penalties:

The following penal provisions are applicable against the persons who involved in sale/illegal extraction/un-authorized excavation of sand in prohibited areas, trading and selling of sand, charging beyond cost of transportation and excavation, transporting sand without GPS devices, use or usage of machinery and vehicles in un-authorized excavation and transportation of sand to other States.

(a) In the case of the vehicles engaged in illegal/ un-authorized excavation in the prohibited areas (i.e. within 500 meters from the Ground water structures, Bridges, Dams, Railway lines and cross drainage structures etc.), transportation of sand outside the State and found transporting sand without valid Sand Way bill issued by the Asst. Director of Mines & Geology concerned, shall be penalized as follows:

Vehicle Type	First time (In Rs.)	Second time (In Rs.)
Tractor	Upto 10,000/-	Rs. 10,001 to 20,000/-
Lorry fitted with upto 10 tires capacity	Upto 25,000/-	Rs. 25,001/ to -50,000/-
Lorry fitted with above 10 tires	Upto 50,000/-	Rs. 50,001/- to 1,00,000/-
Machinery	Upto 50,000/-	Rs. 50,001/- to 1,00,000/-

(b) Any vehicle transporting sand, if found, carrying sand in excess of the quantity specified in the Sand Way bill OR in excess of quantity permitted by the Transport Dept., penalty shall be levied on such excess quantity @ Rs.2000/- per MT.

(c) Any vehicle transporting sand, if found, without installing GPS devices, shall be considered as illegal transportation of sand and the penalty shall be levied on the total quantity of sand available in the truck @ Rs.2000/- per ton.

(d) Whenever any person extracts sand or has extracted sand in the areas other than those notified for lawful excavation, the officer authorized under sub-rule 16(f) of Rule 9-B shall assess such quantity of sand and levy and collect@ Rs.2,000/-per ton of sand or Rs.2.00 lakhs, whichever is higher, as penalty.

(e) If any stock of sand beyond a person's reasonable requirement is stocked / hoarded / black marketed / sold, it shall be seized by the officer authorized under sub-rule 16(f) of Rule 9-B. The person shall be penalized as per sub-rule 16(d) of Rule 9-B.

(f) Officers authorized to levy, collect penalties and seizure of vehicles from the persons involved in illegal mining / stocking / hoarding / selling / black marketing in the State authorized under these rules are as follows:

(i) District Collector(Concerned)
(ii) Joint Collector(Concerned)
(iii) Superintendent of Police(Concerned)
(iv) Additional Superintendent of Police/OSD(Concerned)
(v) Sub-Collector/ Revenue Divisional Officer (Concerned).
(vi) Tahsildar (Concerned) Mandal.
(vii) Sub-Divisional Police Officer (Concerned).
(viii) Station House Officer (Concerned).
(ix) District/Divisional Panchayat Officer
(x) Deputy Director of Mines and Geology (Concerned)
(xi) Asst. Director of Mines & Geology (Concerned).
(xii) Any other officer nominated by Dist. Collector (Concerned)

(g) The vehicle/machinery, found involved in any violation more than two times, such vehicle/machinery along with sand shall be seized by officers authorized in sub-rule 16 (f)of Rule 9-B duly following the procedure as under:

(i) Issue show cause notice to the person/owner from whom the vehicle/machinery is seized.
(ii) Immediately take steps by preparing seizure report and produce the vehicle/machinery before the Competent Court to enable the person/owner from whom the vehicle/machinery is seized to file an application under Section 451 of Criminal Procedure Code (Cr.P.C) for release of vehicle/machinery.

(iii) In the alternative, the person/owner from whom vehicle/machinery is to be seized shall be permitted to submit explanation to the show cause notice along with an application to the authorized officer seeking release of vehicle/machinery.

(iv) Upon receipt of explanation to the show cause notice and the application for release of vehicle/machinery, the authorized officer shall consider the application and pass appropriate orders in accordance with law, within a period of two weeks there from, on production of security of Rs.25,000/- in case of tractor;Rs.1,00,000/- in case of vehicle upto 10 tonnes capacity; Rs.1,50,000/- in case of vehicle above 10 tonnes capacity and Rs.2,00,000/- for any machinery, in the form of Demand Draft drawn in favour of the authorized officer along with an affidavit/undertaking to produce the seized vehicle/machinery as and when required.

(v) The fine paid as per the orders of Competent Court; the security furnished as per clause (iv)above shall be deposited in the head of account '0853- 102-81–other receipts' and the original challan shall be sent to the Asst. Director of Mines & Geology concerned.

(h) Disposal of seized sand illegally stored:

(i) The Tahsildar (or) the officers nominated by Tahsildar at Mandal Level; Sub-Collector/Revenue Divisional Officer (or) the officers nominated by the Sub-Collector/Revenue Divisional Officerat Divisional Level; the Joint Collector/the District Collector (or) the Officers nominated by the Joint Collector/the District Collector at District Level shall seize illegal sand stocks.

(ii) Such seized sand shall be disposed by concerned Tahsildar/Sub Collector/RDO or any officer nominated by District Collector with the approval of the District Collector & Chairman of the District Level Sand Committee (DLSC)at the sale price as adopted and sale proceeds shall be remitted to the Government treasury.

(iii) The Sand Way bill for the seized sand shall be issued by the Asst. Director of Mines & Geology concerned in Form-S3.

(i) M/s Andhra Pradesh Mineral Development Corporation Ltd. being the agent, shall be penalized for any extraction of sand beyond the specified area beyond the specified thickness and for any other violations by levying penalty of Rs.1,00,000/- or Rs.500/- per TON of sand quarried beyond the specified limits or in excess of thickness stipulated, whichever is higher.

(17) Appeals and Revisions:

(a) In case of I, II & III order (notified over exploited) streams:

(i) Any person aggrieved by an order passed by the Authority at mandal level may prefer the appeal before the Joint Collector within fifteen (15) days from the date of receipt of such order.

(ii) Any person aggrieved by an order of the Joint Collector may prefer revision before the District Collector within fifteen (15) days from the date of receipt of such order.

(b) In case of IV, V (non-notified) and above order streams/rivers:

Against any order passed by the Chairman, DLSC, Deputy Director of Mines & Geology or Asst. Director of Mines & Geology, the aggrieved person may prefer a revision to the Government within thirty (30) days from the date of receipt of such order.

(18) Powers to issue Orders/Clarifications/Guidelines:

The Government shall be the sole Authority to issue clarifications, exemptions, guidelines or relaxation orders from time to time, in implementation of these rules.

(19) Applicability of General Provisions:

The General provisions of Minor Mineral Concession Rules, 1966 or any subsequent rules/amendments to be issued by Government or the orders, guidelines, clarifications issued by Government in this regard from time to time shall apply to any situation, which is not expressly stated herein."

(Encl: Annexures Form - S1 to Form - S5)

(BY ORDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. RAMGOPAL
SECRETARY TO GOVERNMENT (MINES)

To
All the District Collectors in the State of A.P.
The Director of Mines & Geology, A.P, Hyderabad.
The Vice Chairman & Managing Director, APMDC Ltd.
Copy to:
All the District Treasury Officers in the State of A.P.
The Director, Treasuries & Accounts, A.P., Vijayawada.
The Pay and Accounts Officer, Vijayawada.
The Accountant General of Andhra Pradesh, Vijayawada.
The P.S. to Hon'ble Deputy Chief Minister for Revenue
The P.S. to Hon'ble Minister for PR & RD and Mines & Geology
The P.S. to Hon'ble Minister for Water Resources (Irrigation)
The P.S. to Hon'ble Minister for Finance & Planning
The P.S. to Hon'ble Minister for Home
The P.S. to Hon'ble Minister for Housing
The P.S. to Secy. (Mines)
The Law (H) Department.
The Finance (FMU-REV-I&C) Department
Sf/Sc (File No: INC01-MG0POLI/18/2019.M.II) (Com. No. 910066)

//FORWARDED :: BY ORDER//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH

FORM – S1

Sand Trip sheet from Sand bearing area/ De-silted area/Patta land to Stockyard

[See Rule 9B(1)(c)(iii) &9B(2)(a)(v) of APMMC Rules, 1966]

Sand Reach code: _____

1. Trip No: __
2. Date and time of issue :
3. Vehicle No. :
4. Quantity under transportation : Cu.Mt.

5. Name of the Raising Contractor:

6. Description of specified sand bearing area/Desilted area/Patta land :

   a) Name of the area
   b) Village
   c) Mandal

7. Location ofspecified Stockyard :

   a. Survey No.
   b. Village
   c. Mandal

8. Date and time of receipt at Stockyard :

Signature of the Receiving authority at Stockyard

Signature of the Issuing Authority at Sand Reach

Note:

1. Overwriting in any form in the Trip sheet makes it invalid.
2. The Trip sheet shall be issued in duplicate
3. The driver shall carry the issued original Trip sheet and handover it to the authorized person of the allottee at the designated stockyard.
4. The tractor driver shall produce the Trip sheet to any authorized authority for checking purpose

GOVERNMENT OF ANDHRA PRADESH

FORM – S2

Sand Sale Booking Order Receipt

[See Rule 9B(1)(d)(i)& 9B (2)(a)(vii) of APMMC Rules, 1966]

		GSTIN:
Order No.	Order date:	Valid upto:
Customer name		
Customer Mobile		
Customer GSTIN		
Delivery Address		
Vehicle No:		
Chasis No:		
Ordered Sand Quantity	/ CBM	/TON
Sand Price:		
CGST (2.50 %)		
SGST (2.50 %)		
Amount Paid (Rs)		
Stockyard Name		
Stockyard Address		
Stockyard Contact Details		
Project Officer Contact Details		
AP Mineral Development Corporation charges (if any as approved by the Government)		
		GSTIN:
Service Charge (Rs.5/ CBM)		
Road Damage charges		
CGST (9%)		
SGST (9%)		
Amount paid (Rs.)		

GOVERNMENT OF ANDHRA PRADESH

FORM – S3

Sand Way bill from Stockyard to End user

[See Rules 9B(1)(d)(iii), 9B(2)(a)(vii)& 9B(16)(h)(iii) of APMMC Rules, 1966]

Way Bill No._____ District Code_____

1. Name of the Mineral: ORDINARY SAND
2. Customer name:
3. Customer contact number:
4. Delivery address:
5. Sand Booking Order ID & Date:
6. Order quantity: ___ cbm / __Tons
7. Order amount paid:
8. Stockyard address:
9. Stockyard person contact number
10. Loaded quantity: ___ cbm / __Tons
11. Vehicle Registration No:
12. Driver name:
13. Driver Contact No.:
14. Valid Till:
15. QR Code:

Signature of the ADMG Concerned Signature of the Issuing Authority

Note:

1. Overwriting in any form in the way bills makes it invalid.
2. The Way bill shall be issued in duplicate
3. The driver shall carry the issued original Way bill
4. The Vehicle driver shall produce the Way bill to any authorized authority for checking purpose

GOVERNMENT OF ANDHRA PRADESH

FORM – S4

Sand Way bill from De-Silted area to End user

[See Rule 9B(2)(a)(vii)of APMMC Rules, 1966]

Way Bill No._____ District Code_____

1. Name of the Mineral: ORDINARY SAND
2. Customer name:
3. Customer contact number:
4. Delivery address:
5. Sand Booking Order ID & Date:
6. Order quantity: ___ cbm / __Tons
7. Order amount paid:
8. De-silted area details:
   a) Name of the area
   b) Village
   c) Mandal
   d) Extent in Ha.
   e) Area code
9. Details of Custodian of De-silted area
   a) Name
   b) Contact number
   c) Address
10. Loaded quantity: ___ cbm / __Tons
11. Vehicle Registration No:
12. Driver name:
13. Driver Contact No.:
14. Valid Till:
15. QR Code:

Signature of the ADMG Concerned Signature of the Issuing Authority

Note:

1. Overwriting in any form in the way bills makes it invalid.
2. The Way bill shall be issued in duplicate
3. The driver shall carry the issued original Way bill
4. The Vehicle driver shall produce the Way bill to any authorized authority for checking purpose

GOVERNMENT OF ANDHRA PRADESH

FORM – S4

Monthly Statement of extraction and disposal of Sand

[See Rules 9B(1)(d)(v) of APMMC Rules, 1966]

Form S7-A

S.No	Date	Production	Production Cumulative	Dispatch to Stockyard	Dispatch Cumulative	Balance

Form S7-B

S.No	Date	Production	Production Cumulative	Dispatch to Destination	Dispatch Cumulative	Balance

Signature of the Authorized Signatory

GOVERNMENT OF ANDHRA PRADESH

FORM – S5

Yearly Statement of extraction and disposal of Sand
[See Rules9B (1)(d)(v) of APMMC Rules, 1966]

Form S8-A

S.No	Month	Production	Production Cumulative	Dispatch to Stockyard	Dispatch Cumulative	Balance

Form S8-B

S.No	Month	Production	Production Cumulative	Dispatch to Destination	Dispatch Cumulative	Balance

Signature of the Authorized Signatory